

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

**IN RE: NATIONAL COLLEGIATE
ATHLETIC ASSOCIATION STUDENT-
ATHLETE CONCUSSION LITIGATION**

MDL NO. 2492
Case No. 13-cv-09116

Judge John Z. Lee

**DECLARATION OF JAMES R. DUGAN, II AND THE DUGAN LAW FIRM
IN SUPPORT OF
MOTION FOR FEES AND EXPENSES**

I, James R. Dugan, II, declare as follows:

1. I am the owner of The Dugan Law Firm. I represent 103 Plaintiffs including being lead counsel in the case DUROCHER, ET AL v. NCAA, ET AL in the above-entitled action. I am submitting this declaration in support of my firm's application for an award of attorneys' fees and expenses in connection with services rendered in the above-entitled action.

2. My firm and the Plaintiffs we represent support the Settlement in this matter.

3. My firm first became involved with the litigation in January, 2012. From the inception of our work in this litigation, The Dugan Law Firm has aggressively prosecuted this case and vigorously represented the best interests of plaintiffs and the Class.

4. The Dugan Law Firm was appointed to the Executive Committee and participated in various aspects of this case including but not limited to investigation, research, working with class representatives, discovery and experts.

5. Through December 31, 2016, the total number of hours spent on this litigation by my firm is 156.40. The total lodestar amount for attorney/professional time based on the firm's current rates is \$96,588.00. The hourly rates shown below are the usual and customary rates charged for each individual in all of our cases. A breakdown of the lodestar is as follows:

NAME	HOURS	RATE	LODESTAR
James R. Dugan, II, owner	80.30	\$795.00	\$63,838.50
David Franco, attorney	49.20	\$395.00	\$19,434.00
Scott Joanan, attorney	26.90	\$495.00	\$13,315.50
TOTAL:	156.40		\$96,588.00

6. My firm incurred a total of \$43,227.94 in expenses in connection with the prosecution of this litigation. They are broken down as follows:

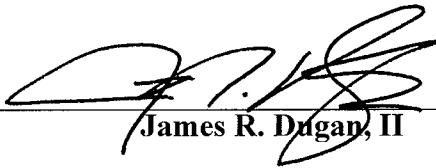
EXPENSE CATEGORY	TOTAL
Meals, Hotels & Transportation	\$4,207.00
Photocopies	\$27.50
Postage	\$48.99
Telephone, Facsimile	
Messenger, Overnight Delivery	
Filing, Witness & Other Fees	
Court Reporters	
Lexis, Westlaw, Online Library Research	\$114.00
Class Action Notices/Business Wire	
Mediation Fees	
Experts/Consultants/Investigators	\$38,812.50
Miscellaneous	\$17.95
TOTAL	\$43,227.94

7. The expenses pertaining to this case are reflected in the books and records of this firm. These books and records are prepared from expense vouchers, check records, and other documents and are an accurate record of the expenses.

8. A true and correct copy of my firm's detailed time and expenses is being submitted to the Court for review by Settlement Class Counsel.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 9 day of January, 2017



James R. Dugan, II

Lodestar Report for NCAA CONCUSSION

Staff	Total Duration	Rate	Lodestar
James Dugan	80.3	\$795.00	\$63,838.50
David Franco	49.2	\$395.00	\$19,434.00
Scott Joanan	26.9	\$495.00	\$13,315.50
Total Duration	156.4	Total Lodestar	96,588.00

Search Report

Grand Duration Total:	156.4
Duration Totals by Staff	
David Franco	49.2
James Dugan	80.3
Scott Joanan	26.9

Bill Date	Duration	Staff	Case	Code	Description
03/07/2012	0.5	James Dugan	NCAA CONCUSSION	REPL	Receipt, review and sign Acknowledgement and Agreement to be Bound in Agreed Confidentiality Order
09/04/2013	0.3	James Dugan	NCAA CONCUSSION	REPL	Review MDL Plaintiffs Motion to Transfer for Coordinated or Consolidated Pre-Trial Proceedings Pursuant to 28 USC 1407
09/04/2013	0.3	James Dugan	NCAA CONCUSSION	REPL	Review USDC Eastern Dist of TN Class Action Complaint
09/11/2013	1	James Dugan	NCAA CONCUSSION	DRME	Draft MDL Docket No. 2492 - Interested Party Response of Durocher Plaintiffs Opposing Consolidation to Transfer Actions to the So Dist of Indiana
09/25/2013	0.3	James Dugan	NCAA CONCUSSION	REPL	Review MDL No. 2492 Plaintiffs Chris Walker, Ben Martin and Dan Ahern's Opposition to Plaintiff Arrington's Motion to Transfer for Coordinated or Consolidated Pre-Trial Proceedings Pursuant to 28 USC 1407
10/02/2013	0.3	James Dugan	NCAA CONCUSSION	REPL	Review MDL Reply in Support of the Arrington Plaintiffs Motion to Transfer for Coordinated or Consolidated Pre-Trial Proceedings Pursuant to 28 USC 1407
10/03/2013	0.3	James Dugan	NCAA CONCUSSION	REPL	Review MDL No. 2492 Notice of Related Action
10/09/2013	0.5	James Dugan	NCAA CONCUSSION	REPL	Receipt and review MDL Interested Party Response to Durocher Plaintiffs Opposing Consolidation and Transfer Actions to the Southern District of Indiana
10/13/2013	0.3	James Dugan	NCAA CONCUSSION	REPL	Review MDL Notice of Potential Tag Along Action
10/13/2013	0.3	James Dugan	NCAA CONCUSSION	REPL	Review MDL No. 2492 Notice of Related Action with Complaint and Docket report
10/15/2013	0.5	James Dugan	NCAA CONCUSSION	RTG	Prior timekeeper system hours 10/15/2013
10/23/2013	0.5	James Dugan	NCAA CONCUSSION	LEGA	Review article "Ex-South Carolina Football Player and Ex-Samford Soccer Player Sue NCAA Over Concussions".
10/28/2013	0.3	James Dugan	NCAA CONCUSSION	REPL	Review USDC Appearance of Counsel Joshua Fleming
10/28/2013	0.3	James Dugan	NCAA CONCUSSION	REPL	Review USDC Appearance of Counsel Randall Riggs
10/31/2013	0.3	James Dugan	NCAA CONCUSSION	DOC	Review correspondence from Hausfeld regarding representing Walker Plaintiffs
10/31/2013	0.3	James Dugan	NCAA CONCUSSION	DOC	Receipt and review correspondence from Hausfeld regarding Walker plaintiffs
11/04/2013	0.3	James Dugan	NCAA CONCUSSION	DOC	Review correspondence from Hausfeld regarding Arrington v NCAA medical monitoring relief
11/05/2013	0.3	James Dugan	NCAA CONCUSSION	DOC	Receipt and review correspondence from Toomey requesting extension to time
11/08/2013	0.3	James Dugan	NCAA CONCUSSION	DOC	Law 360 article - NCAA Athletes Score Class Cert. Win In Antitrust Action

11/11/2013	0.5	James Dugan	NCAA CONCUSSION	REPL	Review USDC Western Dist of Missouri Class Action Complaint Jury Trial Demand
11/18/2013	1.5	James Dugan	NCAA CONCUSSION	DRME	Notice of Presentation of Oral Argument; Draft MDL NCAA Defendants Interested Party Response in Opposition to the Arrington Plaintiffs Motion to Transfer; (Schutt)
11/18/2013	0.3	James Dugan	NCAA CONCUSSION	DRME	Notice of Presentation of Oral Argument; Draft MDL NCAA Defendants Interested Party Response in Opposition to the Arrington Plaintiffs Motion to Transfer; (Riddell)
11/18/2013	0.5	James Dugan	NCAA CONCUSSION	REPL	Review MDL Notice of Presentment of Oral Argument
11/18/2013	0.5	James Dugan	NCAA CONCUSSION	REPL	Review MDL Response of Interested Party Kranos Corp, D/B/A Schutt Sports Opposing the Motion to Transfer for Coordinated or Consolidated Pre-Trial Proceedings Pursuant to 28 U.S.C 1407
11/18/2013	0.5	James Dugan	NCAA CONCUSSION	REPL	Review MDL Riddell Defendants' Interested Party Response in Opposition to the Arrington Plaintiffs Motion to Transfer
11/19/2013	0.3	James Dugan	NCAA CONCUSSION	REPL	Review USDC Dist of Minnesota Class Action Complaint Demand for Jury Trial
11/25/2013	0.3	James Dugan	NCAA CONCUSSION	REPL	Review MDL 2492 Combined Reply in Response to the Oppositions to Consolidation filed by Interested Parties (1) Kranos Corp D/B/A Schutt Sports and (2) Riddell Defendants
11/27/2013	0.3	James Dugan	NCAA CONCUSSION	REPL	Review USDC So Dist of Indiana Answer and Affirmative Defenses of Defendant NCAA to Plaintiffs First Amended Class Action Complaint
12/26/2013	0.3	James Dugan	NCAA CONCUSSION	LEGA	Research John Z. Lee Wikipedia page
02/01/2014	1	James Dugan	NCAA CONCUSSION	MEET	Meeting with representative Durocher, Franco
02/01/2014	1	David Franco	NCAA CONCUSSION	MEET	Meeting with representative Durocher, Dugan
02/03/2014	0.5	David Franco	NCAA CONCUSSION	TELE	Conf call with Durocher, Dugan
02/03/2014	0.5	James Dugan	NCAA CONCUSSION	TELE	Conf call with Durocher, Franco
02/05/2014	1	James Dugan	NCAA CONCUSSION	DOC	Review transcript of proceedings - Motion before Judge Lee
02/07/2014	0.3	James Dugan	NCAA CONCUSSION	DOC	Review correspondence from R. Lewis regarding hearing before Judge Lee & CMO 1
02/07/2014	0.3	James Dugan	NCAA CONCUSSION	DOC	Receipt and review of correspondence to Plaintiffs Counsel regarding Case Mgmt Order No., 1
02/15/2014	1	David Franco	NCAA CONCUSSION	TELE	Conf call with Ristol Engineering re: helmet safety
02/15/2014	1	James Dugan	NCAA CONCUSSION	TELE	Conf call with Ristol Engineering re: helmet safety
02/18/2014	1.5	James Dugan	NCAA CONCUSSION	TELE	Conf call with Ristol Engineering re: helmet safety
02/18/2014	1.5	David Franco	NCAA CONCUSSION	TELE	Conf call with Ristol Engineering re: helmet safety
02/19/2014	1	James Dugan	NCAA CONCUSSION	TELE	Conf call with Ristol Engineering re: helmet safety

02/19/2014	1	David Franco	NCAA CONCUSSION	TELE	Conf call with Ristol Engineering re: helmet safety
02/26/2014	1.3	James Dugan	NCAA CONCUSSION	TELE	Conf call with Ristol Engineering re: helmet safety
02/26/2014	1.3	David Franco	NCAA CONCUSSION	TELE	Conf call with Ristol Engineering re: helmet safety
05/12/2014	1	James Dugan	NCAA CONCUSSION	REPL	USDC Northern District of Illinois Notice of Proposed Settlement of Medical Monitoring Class
05/12/2014	1	James Dugan	NCAA CONCUSSION	REPL	USDC Northern District of Illinois Memorandum of Understanding
05/12/2014	0.3	James Dugan	NCAA CONCUSSION	DOC	Analysis of NCAA Concussion Medical Monitoring Program Fund Adequacy
05/13/2014	0.6	James Dugan	NCAA CONCUSSION	DOC	LAW 360 article - NCAA Concussion Deal Could Include Medical Monitoring
05/15/2014	1	David Franco	NCAA CONCUSSION	TELE	Conference call with Matt Garretsen re: medical monitoring
05/15/2014	1	James Dugan	NCAA CONCUSSION	TELE	Conference call with Matt Garretsen re: medical monitoring
05/21/2014	1.5	James Dugan	NCAA CONCUSSION	DRME	Draft USDC Northern Dist of Illinois Settlement Agreement with Exhibits
05/26/2014	0.5	James Dugan	NCAA CONCUSSION	RREM	Email to D. Franco detailing the 5/15/14 conference call with Berman and Fegan.
05/28/2014	1	James Dugan	NCAA CONCUSSION	REPL	Complaint - Plaintiffs Onyshko vs NCAA
05/28/2014	1	James Dugan	NCAA CONCUSSION	DOC	Review Garretson Resolution Group's Proposed Role of Program Administrator in Concussion case
06/01/2014	1	James Dugan	NCAA CONCUSSION	TELE	Conference call with Beth Fagan & Matt Garretsen re: medical monitoring
06/01/2014	1	David Franco	NCAA CONCUSSION	TELE	Conference call with Beth Fagan & Matt Garretsen re: medical monitoring
06/05/2014	2	David Franco	NCAA CONCUSSION	MEET	Meeting in Chicago with Beth Fagan & Matt Garretsen re: medical monitoring
06/05/2014	2	James Dugan	NCAA CONCUSSION	MEET	Meeting in Chicago with Beth Fagan & Matt Garretsen re: medical monitoring
06/08/2014	1	James Dugan	NCAA CONCUSSION	TELE	Conference call with Matt Garretsen re: Med monitoring program
06/08/2014	1	David Franco	NCAA CONCUSSION	TELE	Conference call with Matt Garretsen re: Med monitoring program
06/09/2014	0.6	James Dugan	NCAA CONCUSSION	DOC	Review LAW 360 document regarding PA. Magistrate shows path for NCAA Concussion plaintiffs
06/15/2014	3	David Franco	NCAA CONCUSSION	DRME	Draft outline for medical monitoring program send to Matt Garretsen
06/15/2014	3	James Dugan	NCAA CONCUSSION	DRME	Draft outline for medical monitoring program send to Matt Garretsen
06/18/2014	1.8	James Dugan	NCAA CONCUSSION	TELE	Conf call with Matt Garretsen re: medical monitoring outline
06/18/2014	1.8	David Franco	NCAA CONCUSSION	TELE	Conf call with Matt Garretsen re: medical monitoring outline
06/25/2014	2.3	David Franco	NCAA CONCUSSION	RDC	Comment and review outline of medical monitoring with Matt Garretsen
06/25/2014	2.3	James Dugan	NCAA CONCUSSION	RDC	Comment and review outline of medical monitoring with Matt Garretsen
06/26/2014	3.3	James Dugan	NCAA CONCUSSION	LEGA	Legal research medical monitoring
06/26/2014	3.3	David Franco	NCAA CONCUSSION	LEGA	Legal research medical monitoring
06/27/2014	2.5	David Franco	NCAA CONCUSSION	DOC	Review NFL Medical Monitoring program and how terms can benefit NCAA Concussion program

06/27/2014	2.5	James Dugan	NCAA CONCUSSION	DOC	Review NFL Medical Monitoring program and how terms can benefit NCAA Concussion program
06/30/2014	1.5	James Dugan	NCAA CONCUSSION	RDC	Send M. Garretsen draft outline of medical monitoring program to review
06/30/2014	1.5	David Franco	NCAA CONCUSSION	RDC	Send draft outline of medical monitoring program to M. Garretsen to review
07/01/2014	1	David Franco	NCAA CONCUSSION	TELE	Conf call with M. Garretsen, Dugan to discuss med monitoring program
07/01/2014	1	James Dugan	NCAA CONCUSSION	TELE	Conf call with M. Garretsen, Franco to discuss med monitoring program
07/18/2014	0.8	James Dugan	NCAA CONCUSSION	DOC	Receipt and Review Correspondence from Steve Berman regarding Proposed Settlement Class Representatives
07/18/2014	0.5	James Dugan	NCAA CONCUSSION	DOC	Receipt and review Memo regarding NCAA Student-Athlete Concussion Lit (Confidential Pursuant to Fed R. Evid 408 and Atty Wk Prdt)
07/19/2014	3	James Dugan	NCAA CONCUSSION	REPL	Plaintiffs' Proposed Revisions Class Action Settlement Agreement and Release
07/21/2014	1	James Dugan	NCAA CONCUSSION	DOC	Review The Messina Group NCAA Concussion injury Medical Monitoring settlement Notice Plan
08/21/2014	1	James Dugan	NCAA CONCUSSION	STMT	Draft Confidential Settlement Demand Letter to Paul Cereghini
12/31/2014	9.7	David Franco	NCAA CONCUSSION	RTG	Prior timekeeper system hours 05/21/2014 to 12/19/2014
12/31/2014	15.9	James Dugan	NCAA CONCUSSION	RTG	Prior timekeeper system hours 05/27/2014-10/23/2014
04/01/2015	1.5	David Franco	NCAA CONCUSSION	TELE	Conf call with Dr Robert Cantu re: medical monitoring
04/01/2015	1.5	James Dugan	NCAA CONCUSSION	TELE	Conf call with Dr Robert Cantu re: medical monitoring
04/04/2015	2	David Franco	NCAA CONCUSSION	TELE	Conf call with Dr Robert Cantu re: medical monitoring
04/04/2015	2	James Dugan	NCAA CONCUSSION	TELE	Conf call with Dr Robert Cantu re: medical monitoring
04/10/2015	2	David Franco	NCAA CONCUSSION	TELE	Conf call with Dr Robert Cantu re: medical monitoring
04/10/2015	2	James Dugan	NCAA CONCUSSION	TELE	Conf call with Dr Robert Cantu re: medical monitoring
04/16/2015	0.3	James Dugan	NCAA CONCUSSION	DOC	Law 360 article - NCAA Floats New \$75M Concussion Deal with Ex-Athletes
06/11/2015	0.3	James Dugan	NCAA CONCUSSION	DOC	Review Law 360 article - Ex - NCAA Player Hits \$75M Concussion Settlement, Fires Atty
06/30/2015	13.4	Scott Joanan	NCAA CONCUSSION	RTG	LSJ - Prior timekeeper system hours 2/11/2015 to 6/17/2015
12/31/2015	13.5	Scott Joanan	NCAA CONCUSSION	RTG	LSJ - Prior timekeeper system hours 2/11/2015 to 6/17/2015
12/31/2015	5.8	David Franco	NCAA CONCUSSION	RTG	Prior timekeeper system hours 01/08/2015 to 7/20/2015
12/31/2015	1	David Franco	NCAA CONCUSSION	RTG	Prior timekeeper system hours 2/25/2015
01/27/2016	0.3	James Dugan	NCAA CONCUSSION	DOC	Review Law 360 article - Judge Grants OK for Modified NCAA Concussion Settlement
03/11/2016	0.3	James Dugan	NCAA CONCUSSION	DOC	Law 360 article Pop Warner Settles Concussion Suit with Mom of Dead Player
04/11/2016	0.3	James Dugan	NCAA CONCUSSION	DOC	Law 360 article NCAA Faces Trial Over Footballer's Fatal Head Injury
05/05/2016	0.3	James Dugan	NCAA CONCUSSION	DOC	Law 360 article Bowling Green reaches \$712K Football Concussion Deal

05/18/2016	0.3	James Dugan	NCAA CONCUSSION	DOC	Law 360 article NCAA, Conferences Hit In Wave of Football Head Injury Suits
05/20/2016	0.4	James Dugan	NCAA CONCUSSION	REPL	Receipt and review Joint Motion for Preliminary Approval of Second Amended Class Settlement and Certification of Settlement Class AND Settlement Subclasses 8 pgs
07/18/2016	0.5	David Franco	NCAA CONCUSSION	REPL	Receipt and review of Court's order and memorandum granting preliminary approval to NCAA Med Monitoring Settlement
08/11/2016	0.2	James Dugan	NCAA CONCUSSION	RREM	Receipt and review MDL-2323 IN RE: NATIONAL FOOTBALL LEAGUE PLAYERS' CONCUSSION INJURY LITIGATION
09/28/2016	0.3	James Dugan	NCAA CONCUSSION	REPL	Receipt and review Joint Discovery Letter Brief JOINT STATEMENT RE NCAA 30(B)(6) DEPOSITION TOPIC 10 filed by National Collegiate Athletic Association. (Attachments: # (1) Exhibit A, # (2) Exhibit B, # (3) Exhibit C, # (4) Exhibit D, # (5) Exhibit E, # (6) Exhibit F, # (7) Exhibit G, # (8) Exhibit H, # (9) Exhibit I, # (10) Exhibit J, # (11) Exhibit K, # (12) Exhibit L, # (13) Exhibit M, # (14) Exhibit N, # (15) Exhibit O, # (16) Exhibit P)(Mishkin, Jeffrey) (Filed on 9/28/2016)
09/28/2016	0.1	James Dugan	NCAA CONCUSSION	RREM	Activity in Case 1:13-cv-01570-SEB-DML DUROCHER et al v. NATIONAL COLLEGIATE ATHLETIC ASSOCIATION et al Motion for Leave to File
09/28/2016	0.5	James Dugan	NCAA CONCUSSION	TELE	Telephone conference with co-lead counsel regarding strategy going forward to amend complaint or to combine with NJ case.
09/28/2016	0.5	David Scalia	NCAA CONCUSSION	TELE	Conference with co-leads regarding strategy going forward. Do we amend complaint or do we try to combine with NJ case?
09/29/2016	0.3	James Dugan	NCAA CONCUSSION	RREM	Receipt and review: DUROCHER et al v. NATIONAL COLLEGIATE ATHLETIC ASSOCIATION et al
09/29/2016	0.2	James Dugan	NCAA CONCUSSION	DOC	Review Document: Local lawyers reach landmark concussion settlement with NCAA - Kansas City Business Journal; Six Concussion Suits Are Filed Against Colleges and N.C.A.A. - The New York Times
10/10/2016	0.3	James Dugan	NCAA CONCUSSION	TELE	Telephone conference with Wendy and Lynn regarding TAC strategy.
10/10/2016	0.3	David Scalia	NCAA CONCUSSION	TELE	TC with Wendy and Lynn re: TAC strategy.
10/14/2016	0.2	James Dugan	NCAA CONCUSSION	TELE	Telephone conference regarding how to proceed. Scalia assigned draft Motion to Withdraw the 2nd Amended Complaint